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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,122	08/04/2003	Dzu D. Luong	1571.2049-001	5748

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EXAMINER

PHAN, JAMES

ART UNIT PAPER NUMBER

2872

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/634,122

Applicant(s)

LUONG ET AL.

Examiner

James Phan

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-36, 38, 39 and 41-72 is/are pending in the application.
- 4a) Of the above claim(s) 1, 3-31, 35, 36, 38, 39 and 41-71 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-34 and 72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Prior Art Cited

Each of Davis et al, Hattori et al, Hartman and Primeaux, II discloses polyurea composition/resin solvent-free from isocyanate prepolymer and amine resin; and Canat discloses a process and tool including rollers and belts for forming a leather substitute composite product.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 32-34 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. 6,797,789 to Davis et al or U.S. Pat. 5,319,058 to Hattori et al.

In re claims 32 and 72, each of Davis et al and Hattori et al discloses a process for forming a polyurea composition/resin solvent-free from isocyanate prepolymer and amine resin (Davis et al, column 3, lines 19-27, and column 4, lines 46-47; Hattori et al, abstract and claim 3). Davis et al further discloses that polyurea can be used for aesthetic purposes (column 1, lines 39-49). Also, paint composites or laminates having paint layer including polyurea "for the painting of automobile body panels which may permit elimination of the entire painting procedure presently utilized in automobile assembly plants" is well known (see U.S. Pat. 5,030,514 to Hartman, column 1, lines 25-39). Each of Davis et al and Hattori et al does not disclose a method for forming a sheet that includes polyurea. However, a method for forming a sheet from a mixture/composition, having the steps of providing a carrier substrate; spraying or

pouring or casting the mixture/composition on the carrier substrate; allowing the mixture/composition to at least partially cure to form the sheet, and removing the carrier substrate, is well known in the art. Thus, it would have been obvious to one skilled in the art to form a color sheet including polyurea, by spraying or casting the mixture including isocyanate prepolymer and amine resin as taught in Davis et al or Hattori et al on a carrier substrate, allowing the mixture to at least partially cure to form the sheet, and removing the carrier substrate, for the purposes taught in Davis et al and Hartman.

In re claim 33, because the formed sheet is thin and flexible, it would be very difficult to handle; thus, one of ordinary skill in the art would recognize a further step of applying a second carrier substrate over the polyurea prior to curing so as to form a polyurea sheet/film including a carrier substrate for easily handling the polyurea sheet and for preventing the sheet from contamination of foreign particle such as dust while being transported or stored.

In re claim 34, the use of a nip roller to control a thickness of the sheet is well known in the art (see U.S. Pat. 5,194,133 to Lasch et al, column 12, lines 1-5) for forming a sheet from a mixture. Thus, it would have been obvious to one of ordinary skill in the art to utilize the teaching of Lasch et al for forming a polyurea sheet with any desired thickness.

Conclusion

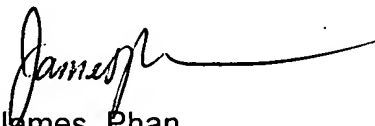
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Phan whose telephone number is (571) 272-2317. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James Phan
Primary Examiner
Art Unit 2872

JP
April 7, 2006